

IN THE
COURT OF CRIMINAL APPEALS
OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
12/27/2018
DEANA WILLIAMSON, CLERK

MARC WAKEFIELD DUNHAM

§

§

VS.

§

CAUSE NO. PD-0831-18

§

STATE OF TEXAS

§

MOTION TO EXTEND TIME TO FILE APPELLANT'S BRIEF

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

Marc Wakefield Dunham, appellant, files this Motion To Extend Time To File Appellant's Brief, and would show as follows:

I.

Appellant pled not guilty to Class A misdemeanor deceptive business practice in cause number 2109329 in the County Criminal Court at Law Number 6 of Harris County before the Honorable Larry Standley. A jury convicted him, and the court assessed punishment at one year in the county jail and a \$4,000 fine on January 27, 2017. L. Jeth Jones, II, represented him at trial.

The Fourteenth Court of Appeals affirmed the judgment in a published opinion issued on July 10, 2018. Appellant did not move for rehearing. This Court granted discretionary review on December 5, 2018. Dunham v. State, 554 S.W.3d 222 (Tex. App.—Houston [14th Dist.], pet. granted). Josh Schaffer represented him in the court of appeals and represents him in this Court.

II.

This Court may extend the time to file a brief if a party files a motion complying with Rule of Appellate Procedure 10.5(b). This motion is timely, and appellant has not sought a previous extension of time to file the brief.

This Court granted review on December 5, 2018, and appellant's brief is due on January 4, 2019. Both the Christmas and New Year holidays fall in that time frame. Counsel must tend to end-of-year financial matters for his law practice, and he is on a family vacation from December 30 through January 3. He requests that the Court grant a 15-day extension of time until January 19, 2019, to file the brief.

CONCLUSION

Appellant requests a 15-day extension of time to file the brief.

Respectfully submitted,

/s/ Josh Schaffer

Josh Schaffer

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Attorney for Appellant

MARC WAKEFIELD DUNHAM

CERTIFICATE OF SERVICE

I served a copy of this motion on Katie Davis, assistant district attorney for Harris County; and on Stacey Soule, State Prosecuting Attorney, by electronic service on December 27, 2018.

/s/ Josh Schaffer
Josh Schaffer